

MEG:KDE/AS
F.#2015R01691

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

- against -

18-CR-123 (S-1)(CBA)

JOHN SCARPA, JR.,

Defendant.

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THE GOVERNMENT’S VOIR DIRE REQUESTS,
LIST OF NAMES AND PLACES, AND
SUMMARY OF THE CASE

RICHARD P. DONOGHUE
UNITED STATES ATTORNEY
Eastern District of New York
271 Cadman Plaza East
Brooklyn, New York 11201

Keith D. Edelman
Andrey Spektor
Assistant U.S. Attorneys
(Of Counsel)

THE GOVERNMENT'S VOIR DIRE REQUESTS

The government respectfully requests that in addition to the Court's usual voir dire questions, the Court ask the following questions in jury selection for this case. The government respectfully submits that the questions listed below would aid in the selection of a fair, impartial and unbiased jury. In addition, the government submits a brief summary of the case, as well as a list of persons and places that the government expects to be mentioned at trial.

A. Personal Experience with the Criminal Justice System

1. You will hear testimony in this case from various law enforcement officers, including members of the New York City Police Department ("NYPD") and a former Assistant District Attorney from the Suffolk County District Attorney's Office. Do you feel predisposed for any reason to either believe or disbelieve a law enforcement officer's or prosecutor's testimony? Have you, your family members or any close friends received unfair treatment from police, prosecutors or law enforcement agencies?

2. Have you, or has any member of your family, either as an individual or in the course of business, ever been a party to any legal action, criminal case, or dispute with the United States, with any agencies or employees of the United States, the NYPD, the Suffolk County District Attorney's Office, or otherwise had any interest in any such legal action, case or dispute or its outcome?

3. Do you believe that fingerprint, DNA or other types of forensic evidence are required to prove a defendant's guilt beyond a reasonable doubt? Would you have any difficulty in finding the defendant guilty if the government proved its case beyond a

reasonable doubt based on other evidence, like witness testimony or phone calls, without any forensic evidence?

B. Case-Specific Questions

4. You will learn during the course of this trial that law enforcement obtained a court-authorized wiretap to secretly listen to a person's telephone conversations. This investigatory technique to gather evidence is lawful and proper. Would the use of lawfully intercepted communications over a telephone affect your ability to consider such evidence fairly?

5. Are any family members or friends active or retired criminal defense attorneys?

C. Other Questions

6. Have you served on a jury before? Grand jury or trial jury? Criminal or civil? Was that jury able to reach a verdict?

7. Where do you get your news?

STATEMENT OF THE CASE

The indictment in this case charges the defendant, John Scarpa, Jr., a criminal defense attorney, with conspiring to participate in and actually participating in a bribery scheme. The charges are related to a criminal trial that occurred in Suffolk County. According to the indictment, the defendant agreed to bribe a witness. The evidence in this case will consist primarily of recordings of telephone calls captured over a court-ordered wiretap. The trial will begin on Monday, May 20, 2019, and the parties anticipate that the case will be concluded by Friday, May 24, 2019.

LISTS OF NAMES AND PLACES

Defendant and Defense Counsel

1. John Scarpa, Jr. (Defendant)
2. Steven Raiser, Esq.
3. Thomas Kenniff, Esq.

Seated at the Government's Table

1. Keith D. Edelman (Assistant U.S. Attorney)
2. Andrey Spektor (Assistant U.S. Attorney)
3. Alex Minsk (Paralegal Specialist, U.S. Attorney's Office)

Possible Government Witnesses and Other Names

1. Special Agent Conor O'Sullivan, Federal Bureau of Investigation
2. Detective Richard Santangelo, Queens County District Attorney's Office
3. Detective Eugene Lang, New York City Police Department
4. Investigator Adam Czach, New York State Department of Corrections and Community Supervision
5. Sergeant Arthur LaFranca, Suffolk County Sheriff's Office
6. Former Suffolk County Assistant District Attorney Robert Biancavilla
7. Charles Gallman, also known as "TA"
8. Raymond Hirt
9. John Williams
10. Reginald Ross, also known as "L"
11. Luis Cherry
12. Hon. James Hudson, Suffolk County Supreme Court

13. Melvin Anderson
14. May Frances Ross
15. Hon. William Condon, Suffolk County Supreme Court
16. Eric Aboulafa
17. “Y Kim”
18. “El Rahim”
19. Crystal Cincotta
20. Rose Barrett
21. Scott Brettschneider, Esq.

Entities or Places that May be Mentioned

1. Downstate Correctional Facility, Fishkill, New York
2. Law Office of John Scarpa, Jr., 125-10 Queens Boulevard, Kew Gardens, Queens, New York

Dated: Brooklyn, New York
May 3, 2019

Respectfully submitted,

RICHARD P. DONOGHUE
United States Attorney

By: /s/
Keith D. Edelman
Andrey Spektor
Assistant U.S. Attorneys
(718) 254-6328/6475

cc: Clerk of the Court (CBA) (By ECF)
Steven Raiser, Esq. (By ECF)
Thomas Kenniff, Esq. (By ECF)